

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

STACIE LONAKER, an individual; and  
MYRIAM LONAKER, an individual,

Plaintiffs,

v.

JPMORGAN CHASE BANK, N.A., a  
business entity; and DOES 1 through 50,  
inclusive,

Defendants.

Case No. 5:14-cv-00152 HRL

**ORDER RE DISCOVERY DISPUTE  
JOINT REPORT NO. 1**

[Re: Dkt. 37]

The parties have filed Discovery Dispute Joint Report (DDJR) No. 1, which essentially is a stipulated request to extend the deadline for moving to compel discovery. The DDJR was filed on the very last day to move to compel discovery; and, it appears that the matter could and should have been brought to the court's attention much sooner. This is particularly so when the record shows that the requests at issue were served over five months ago. Basically, plaintiff seeks information about defendant's policies re loan modification applications. Defendant objected to the requests on the grounds that they are burdensome and seek irrelevant, confidential, or privileged information. Nevertheless, this court is told that defendant agrees to see if it has responsive documents in its possession<sup>1</sup> and, if so, to produce them under a stipulated

<sup>1</sup> A responding party is obliged to produce documents and things in its "possession, custody, or control." Fed. R. Civ. P. 34(a)(1).

1 protective order. While they have not been made the centerpiece of this DDJR, there apparently  
2 are also interrogatories for which plaintiffs seek further responses. For purposes of this DDJR, the  
3 parties stipulate as follows: "The parties agree to allow Plaintiff to preserve her right to compel  
4 Defendant's discovery responses in the event that Defendant fails to produce supplemental  
5 responses and responsive documents by December 19, 2014." (DDJR No. 1 at 4).

6 Defendant having agreed to supplement its interrogatory responses and produce additional  
7 responsive documents it may have, it is hereby ordered to do so no later than December 19. The  
8 parties are directed to meet-and-confer on the terms of a suitable protective order, should  
9 defendant believe that one is necessary. The court having issued an order compelling this  
10 discovery, the parties' request for an extension of the deadline to move to compel this discovery is  
11 deemed moot.

12 Dated: December 16, 2014

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HOWARD R. LOYD  
UNITED STATES MAGISTRATE JUDGE

United States District Court  
Northern District of California

1 5:14-cv-00152-HRL Notice has been electronically mailed to:

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